DALLAS DIOCESAN CHAPTER OF THE KNIGHTS OF COLUMBUS

SAFE ENVIRONMENT PROGRAM FOR KNIGHTS OF COLUMBUS ENTITIES

MISSION STATEMENT

As Christian adults, we have a moral and legal responsibility and are entrusted by God with the spiritual, emotional and physical well-being of minors and vulnerable adults. As they participate in activities within or sponsored by our Knights of Columbus, it is our responsibility and commitment to provide an environment which is safe and nurturing.

INTRODUCTION

Because of the gravely serious nature of allegations of child abuse and sexual misconduct by Church personnel including volunteers, it is important that all Knights of Columbus personnel be informed about Knights of Columbus policy on the prevention of any such abuse and about the procedures that are followed when reports of child abuse or sexual misconduct by Church personnel are received. In addition, this Booklet provides information on other procedures to promote a safe environment for diocesan entities.

PURPOSE

The Dallas Diocesan Chapter of the Knights of Columbus, hereafter referred to as “DDC”, has a Safe Environment Program (“SEP”) to reduce the risk of abuse to:

- Promote a safe and secure environment for minors and vulnerable adults in the faith communities.
- Assist the Knights of Columbus entity in evaluating a person’s suitability to work with minors or vulnerable adults.
- Satisfy the concerns of parents and staff members.
- Provide a system to respond to the victims and their families, as well as the accused.
- Protect against the possibility of false accusations against Knights of Columbus members.
- Reduce the risk exposure of the parishes, other entities of the Catholic Diocese of Dallas and the Knights of Columbus.

DEFINITIONS

(For the purposes of this statement only)

1. **Sexual Abuse means an unlawful form of sexual misconduct, whether it involves a minor or a vulnerable adult.**

Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways. This policy adopts the definition provided in Texas civil law. The transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment (USCCB, Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995, p.6). A canonical offense against the sixth commandment of the Decalogue (CIC, c. 1395 §2; CCEO, c. 1453 §1) need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. Moreover, "imputability [moral responsibility] for a canonical offense is presumed upon external violation... unless it is otherwise apparent" (CIC, c. 1321 §3; CCEO, c. 1414 §2). Cf. CIC, canons 1322-27, and CCEO, canons 1413, 1415, and 1416.[II] Preamble, USCCB, Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons.

2. **Sexual Misconduct means:**

The following types of behavior by Knights of Columbus personnel:

a. Sexual contact between Knights of Columbus and a minor ("minor" as defined by the laws of the State of Texas).

b. Sexual Harassment as defined by the Equal Employment Opportunity Commission (see page 7 in the Policy on Sexual Misconduct for the Diocese of Dallas).

3. **DDC SEP Compliance System** means a computer system designed for maintaining safe environment-related data, and capable of producing reports of compliance with access controls to maintain securely the confidential information stored.

4. **Knights of Columbus Entities** means the DDC, councils, squire circles and assemblies.

5. **Knights of Columbus Member** means age 18 and older and current members in good standing with the organization.

6. **Minor** is any person who has not reached his/her 18th birthday.

7. **Volunteer** means any unpaid person engaged in or involved in a Knights of Columbus activity, and who is entrusted with the care and supervision of minors, and/or persons engaged or involved in ministry who have regular individual contact with vulnerable adults.

8. **Child Abuse** means any form of infliction of injury whether it be physical, mental, moral, or emotional to the detriment to a minor.

9. **Vulnerable Adult** means any adult that is physically, mentally, or emotionally impaired, whether temporary or long-term, or that is disabled, or that is otherwise unable to function in one or more ways that results in an impaired ability to respond as a typical adult is expected to function.

10. **Safe Environment Director** means the individual who oversees the Safe Environment Program at the Knights of Columbus entity level.

11. **Safe Environment Committee** means the committee, minimally two people, responsible for implementing the Safe Environment Program at the Knights of Columbus entity level.

REQUIREMENTS

Each Knights of Columbus entity shall:

1. Appoint a Safe Environment Director to oversee the Safe Environment Programs as they relate to Knights of Columbus sponsored events. In the absence of an appointed member, the Grand Knight (or Faithful Navigator, or Chief Squires Counselor) shall assume the responsibilities of and be the de facto Safe Environment Director.

2. Maintain a Safe Environment Committee to implement the Safe Environment Program.

3. Implement the Safe Environment Program following the guidelines and procedures found in the Knights of Columbus Dallas Diocesan Chapter Safe Environment Program Booklet.

4. Implement the Safe Environment policies of the K of C Supreme Office / Office of Youth Protection.

5. Maintain a response team to provide support for all parties if an incident should occur.

These are minimum requirements to protect our minors, vulnerable adults, volunteers and the Knights of Columbus entity.

CONFIDENTIALITY

Like all personnel records, information maintained in the DDC SEP Compliance system, and obtained through the screening background checks, roster information obtained, interviews, Criminal Background Check, etc. should be kept confidential. It is recommended that all material be kept in a locked file cabinet and access and/or securely retained in password-protected computer file and/or with restricted access in the DDC SEP Compliance System so it be restricted to those who have a "need to know." These materials should not be destroyed, but should be archived securely.

SCREENING PROCEDURES

The DDC will procure a criminal background check on any "active" member of the Knights of Columbus (one who serves on unit activities at which minors or vulnerable adults may attend) of the Diocesan area who is not currently cleared through the Dallas Catholic Diocese SEP (or another Diocesan-approved SEP). All collected information is to be treated as confidential. All criminal background checks must be updated every two (2) years through a Diocesan approved vendor (currently Accutrak).

The background check is to be authorized by the knight prior to a report being ordered. The council will be charged the customary fee for the background check.

If a Knights of Columbus member has been cleared through a Dallas Diocese SEP, (i) the date of most recent clear Criminal Background Check and (ii) date of most recent Safe Environment Training shall be periodically obtained by the council SEP Director (or individual knight) from the Parish Safe Environment Coordinator of the home parish of the knight, and such dates shall be recorded in the DDC SEP Compliance System.

TRAINING PROCEDURES

1. All new, or newly “active” knights, must complete the initial Safe Environment Training.

2. Provide each new active knight with a copy of this policy manual and the current Knights of Columbus (Supreme) Safe Environment Booklet and related materials. Each volunteer is required to read the materials and acknowledge the policy in their DDC SEP online account or sign and return the acknowledgment form at the end of this document to the DDC SEP Director.

3. All active, cleared knights must complete an annual update of the Safe Environment Program Training.

4. Each Knights of Columbus entity should also provide regular and ongoing training for safe environment practices and other safety issues in preparation for service events, or otherwise, as needed.

SUPERVISION PROCEDURES

1. Have an adequate number of “cleared” knights present at events involving minors and vulnerable adults (the stricter standard of Supreme or Diocesan/DDC SEP Policy). Screened and trained adult supervision should increase in the proportion to the risk of the activity.

2. Monitor facilities during all of Knights of Columbus-sponsored activities involving minors or vulnerable adults.

3. In the absence of written consent, release minors only to their parent or guardian.

4. Obtain written parental permission, including a signed medical treatment form, before taking minors off of parish or diocesan property to a Knights of Columbus-sponsored event.

5. For any vehicle that has been chartered, rented, or leased on behalf of the Knights of Columbus, a qualified driver must have passed all state requirements to drive the vehicle used and have a safe driving record. The vehicle must have fully operational safety equipment, be current in registration, inspection, and insurance, including collision and comprehensive coverage, driven by a person named on the policy (evidenced by an information card maintained in the vehicle).

6. Obtain written parental approval before permitting any minor to participate in organized athletic events or any activity that involves potential risk.

7. Have minors use a “buddy system” whenever they go on trips.

8. Teen aides may not supervise minors without cleared adults present.

9. “Supervision” is considered to extend to periods before and after an event, including when minors are waiting for transportation.

Refer to the Supreme Safe Environment “Quick Reference Guides” for more information on planning and conducting an event consistent with best practices.

BEHAVIORAL GUIDELINES FOR WORKING WITH MINORS

All volunteers of the Knights of Columbus entity will observe the following guidelines for dealing with minors other than their immediate family.

1. Do not provide minors with alcoholic beverages, tobacco, drugs or anything that is prohibited by law.

2. Do not serve as a chaperone for activities that conflict with curfew laws pertaining to minors.

3. Touching should be age appropriate and based on the need of the minor and not on the need of the adult. Avoid physical contact when alone with a minor. If a minor initiates physical contact, an appropriate, limited response is proper.

4. Do not engage in the physical discipline of a minor. Discipline problems should be handled in coordination with your supervisor and/or the parents of the minor. Corporal punishment is **never** acceptable.

5. Do not be alone with a minor in a residence, sleeping facility, locker room, rest room, dressing facility, or other closed room or isolated area that is inappropriate to a ministry relationship.

6. Do not take an overnight trip alone with a minor who is not a member of your immediate family.

7. Do not sleep in the same hotel room with a minor. If adult supervisors stay in a dorm room or other sleeping room with a group of minors, the two supervisors must sleep in their own beds using a roll away or cot if necessary.

8. Topics, vocabulary, recordings, films, games or the use of computer software or any other form or personal interaction or entertainment that could not be used in the presence of parents should not be employed with minors. Sexually explicit or pornographic material is never appropriate.

9. Do not administer medication of any kind without written parental permission.

10. If you recognize inappropriate personal or physical attraction developing between yourself and a minor, maintain clear professional boundaries between yourself and the minor or refer the minor to another adult supervisor.

11. Schedule meetings at times and use locations that create accountability. Limit both the length and number of sessions and make appropriate referrals. Notify parents of the meetings.

12. Do not drive a church or school vehicle unless you have received prior authorization and have the appropriate license and/or certification.

13. Do not permit minors to cross a road by themselves while they are in your custodial care.

14. Do not be present or take photographs of minors while they are unclothed or dressing (e.g., in a locker room or bathing facility).

15. If you observe anyone (adult or minor) abusing a minor, take appropriate steps to immediately intervene and to provide a safe environment for the minor. Report the misconduct (see Reporting Procedures).

16. If you are accused of engaging in inappropriate conduct, immediately notify the Knights of Columbus entity Safety Environment Director.

17. Have a minimum of two or more cleared adults present in any room, car, etc. will reduce the probability of false accusations.

Refer to the Supreme Safe Environment “Quick Reference Guides” for more information on best practices on supervising contact with minors.

DISQUALIFYING OFFENSES

No knight may serve with minors and vulnerable adults if he has ever been convicted of any disqualifying offense, been on probation or received deferred adjudication for any disqualifying offense or has presently pending any criminal charges for any disqualifying offense until a determination of guilt or innocence is made, including any person who is presently on deferred adjudication. Disqualifying offenses are:

1. A **felony** or **misdemeanor** classified as an offense against the person or family or involves an offense against the person or family.

   Examples: Offenses against a person include, but are not limited to, murder, assault, sexual assault, and abandoning or endangering a child or vulnerable adult. Offenses against the family include, but are not limited to bigamy, incest, and interference with child custody, enticing a child, and harboring a runaway child.

2. A **felony or misdemeanor** classified as an offense against public order, safety, or decency.

   Examples: Offenses against public order or decency include, but are not limited to prostitution, obscenity, sexual performance by a child, and possession or promotion of child pornography, and disorderly conduct.

3. A **felony** violation of any law intended to control the possession or distribution of any substance included as a controlled substance in the Texas Controlled Substance Act.

4. Two or more **misdemeanors** within the past five years.

5. A **felony or misdemeanor** classified as an offense against property, to the extent that those offenses are related to threats or risk of harm or violence.

   Examples: Offenses against property include robbery, burglary of a habitation, and arson. Other offenses, such as theft by check, or fraud would not ordinarily be considered Disqualifying Offenses.

6. A **felony** computer crime of online solicitation of a minor

7. A **felony or misdemeanor** offense against public health, safety and morals, involving illegal possession or use of weapons.

   Examples: Disqualifying offenses would include unlawful weapons charges, including illegal weapons, bombs and illegal carrying of weapons.

The foregoing lists of offenses describe categories from the Texas Penal Code. The categories of offenses may be slightly different from other states. In summary, any offense which in the discretion of the Diocese would impact health and safety would be a disqualifying offense.

Refer to page 15 for the Appeal Process.

REPORTING PROCEDURES

Mandate to report under Texas state law:

Individuals **must report** incidents of abuse or suspicions of sexual misconduct or sexual harassment. Situations involving abuse of minors must be reported to **the Texas Department of Family and Protective Services** at **1-800-252-5400** or in emergency to the appropriate police authority, usually by calling **911**.

Texas law is very specific on reporting suspected abuse:

§ 261.101. Persons required to report; time to report, the Texas Family Code, states:

a) A person having cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect by any person shall immediately make a report.

b) If a professional has cause to believe that a child has been or may be abused or neglected, the professional shall make a report not later than the 48th hour after the professional first suspects that the child has been or may be abused or neglected. A professional may not delegate to or rely on another person to make the report. In this subsection "professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, and day-care employees.

The requirement to report under this section applies without exception to an individual, whose personal communications may otherwise be privileged, including an attorney, a member of the clergy**,** a medical practitioner, a social worker, or a mental health professional.

d) The identity of an individual making a report under this chapter is confidential and may be disclosed only on the order of a court or to a law enforcement officer for purposes of conducting a criminal investigation of the report.

§261.106. Immunities, states:

a) A person acting in good faith who reports or assists in the investigation of a report of alleged abuse or who testifies or otherwise participates in a judicial proceeding arising from a report petition or investigation of alleged child abuse or neglect is immune from civil or criminal liability

Responsibility to report to the Knights of Columbus:

The Knights of Columbus, through its Knights of Columbus entities, has numerous daily contacts with many minors and vulnerable adults. It is, therefore most important that all persons responsible for the care of minors and vulnerable adults, particularly all volunteers of Knights of Columbus, protect the rights of minors and vulnerable adults and be alert to the possibility for abuse. It is the policy of the Knights of Columbus not only to fulfill the reporting law but to cooperate fully with the investigating civil authorities.

If you have direct or indirect knowledge of or have reasonable cause to suspect abuse or misconduct against a minor participating in any Knights of Columbus program, including Columbian Squires, regardless of whether the incident occurred recently or in the past, report any and all information immediately to The DDC SEP Director and/or 1-844-KOFC-SAFE (844-563-2723)

A report to the Knights of Columbus does not relieve the individual from reporting abuse as required by the Texas State Law.

Individuals with knowledge about violations of Knights of Columbus policy should report the violation to the Diocesan Deputy, DDC President, and DDC SEP Director. The DDC shall report such to the State Advocate, who will be responsible for reporting to the Supreme Office; however, nothing shall preclude concerned individuals with knowledge about violations of Knights of Columbus policy from reporting to the State Advocate and the Knights of Columbus Safe Environment Program Line at 203-800-4940 or youthleader@kofc.org.

THE APPEAL PROCESS

Any person who applies and is not accepted as a volunteer, for any reason under these guidelines, will have a right of appeal as set forth in the Appeal Process as outlined below.

If non-acceptance is based on the criminal background check for volunteers:

> The applicant shall be given the name and address of the agency reporting the criminal history of such applicant, so that he or she will have the opportunity to obtain a similar report from such agency. In the event that such report is obtained by the applicant and he reasonably believes that an error has been made by the reporting agency or independent agent, then, upon written request, a second criminal background check shall be obtained and the application reconsidered.

The Grand Knight of the local council may submit an appeal request on behalf of the applicant to the Dallas Diocese Knights of Columbus Appeal Committee (defined below). The appeal letter can be simple in format. Two other pieces of documentation are required for the appeal process. A copy of the criminal background check with the reason for non-compliance must be submitted. Also, a sworn written statement is needed from the applicant stating the circumstances regarding his arrest, charges, plea entered, trial, sentence and probation (including whether the probation has been released). In addition, the statement needs to address the following questions:

1. Was this his first and only arrest?
2. Have there been any subsequent arrests?
3. Has the applicant otherwise been accused, charged, or convicted of any felony or misdemeanor classified as an offense: against any minor; against any adult; against any family member; against public order or decency (including offenses related to prostitution, obscenity or pornography); or against property that was not included in the DDC Criminal Background Check Report?

The Appeal Committee

The Dallas Diocese Knights of Columbus Safe Environment Appeal Committee shall consist of the following individuals:

1. The Dallas Diocesan Deputy of the Knights of Columbus
2. The Dallas Diocesan Chapter (DDC) President
3. The Dallas Diocesan Chapter (DDC) Chaplain
4. The Dallas Diocesan Chapter (DDC) Safe Environment Director
5. An At-Large member, preferably an attorney, approved by the Dallas Diocesan Deputy of the Knights of Columbus

ACKNOWLEDGMENT

This Safe Environment Program Booklet has been prepared as a guide to assist you when working with minors and vulnerable adults. The information contained in this manual establishes rules and guidelines. The Knights of Columbus reserves the right to make changes in the content of this booklet and to implement those changes with or without notice.

By signing below, I acknowledge that I have received a copy of the DDC SEP Policy manual Supreme Safe Environment Program Booklet for the Knights of Columbus and related materials. I understand it is my responsibility to become familiar with and adhere to the policies and procedures contained therein.

Signature:_____

Print Name:_____

Date:_____

Members may alternatively submit an acknowledgement electronically through the DDC SEP Compliance System.